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DEPARTMENT OF EDUCATION  
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**FISCAL YEAR 2013  
CHILD AND ADULT CARE FOOD PROGRAM  
OPERATIONAL MEMORANDUM #34**

**TO:** Child and Adult Care Food Program Institutions

**FROM:** Kyle L. Guerrant, Director  
Office of School Support Services

**DATE:** September 3, 2013

**SUBJECT:** **Health and Safety in the Child and Adult Care Food Program**

**ACTION:** **Sponsoring organizations are encouraged to establish written standards for health and safety procedures of monitored sites**

The Michigan Department of Education's (MDE) Child and Adult Care Food Program (CACFP) regulations require participating organizations to notify appropriate licensing or health authorities of conduct or conditions that pose an imminent threat to the health or safety of participants or to the public. This memorandum provides guidance to help participating sponsors detect and report the types of problems that rise to this higher level of concern.

For participating institutions sponsoring more than one feeding site (sponsors of centers), CACFP monitors must exercise judgment in making a determination of an imminent threat. *Caring for Our Children*<sup>1</sup> is a resource that provides additional guidance on managing, reporting, and documenting incidents of imminent threat. It recommends that child care facilities have written plans for reporting, managing, and training staff on what they determine to be incidents that threaten the health, safety, or welfare of children, staff, or volunteers.

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<sup>1</sup> American Academy of Pediatrics, American Public Health Association, National Resource Center for Health and Safety in Child Care and Early Education. 2011. *Caring for our children: National health and safety performance standards; Guidelines for early care and education programs. 3rd edition.* Elk Grove Village, IL: American Academy of Pediatrics; Washington, DC: American Public Health Association. Also available at <http://nrckids.org>.

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Although CACFP monitors do not routinely assess health and safety issues during their onsite reviews, they must still be trained to recognize conditions that pose an imminent threat to the health or safety of the participants. *Caring for Our Children* identifies a number of circumstances that rise to the level of imminent threat, including:

- Lost or missing child
- Suspected maltreatment of a child
- Suspected sexual, physical, or emotional abuse of staff, volunteers, or family members occurring while they are on the premises of the child care facility
- Injuries to children requiring medical or dental care
- Illness or injuries requiring hospitalization or emergency treatment
- Mental health emergencies
- Health and safety emergencies involving parents or guardians and visitors to the child care facility
- Death of a child or staff member (including a death that occurred outside of child care hours that had resulted from serious illness or injury at the child care facility)
- The presence of a threatening individual who attempts or succeeds in gaining entrance to the facility

If a child or adult participant is in imminent danger, the monitor must call the proper authorities immediately and stay at the site until authorities have arrived.

CACFP monitors must understand that their response to imminent threats to the health and safety of participants in the CACFP should be applied consistently and fairly. This does not mean, however, that every licensing violation is an imminent threat to health and safety, or that MDE requires CACFP sponsors to monitor for licensing agencies. (See CACFP 14-2013, *Monitoring of Licensing Requirements in the Child and Adult Care Food Program*, July 26, 2013.)

Even if the proper authorities indicate that it is safe for the monitor to leave a home while they conduct further investigation or inquiry, the monitor and sponsor should still initiate action to discontinue the participation of the site. MDE will take immediate action and follow the requirements for suspension of an independent institutions participation for reasons of health or safety [7 CFR 226.6(c)(5)(i)].

If you have any additional questions concerning this memorandum, contact CACFP at 517-373-7391 or go to <http://www.fns.usda.gov/cnd/Care/Regs-Policy/PolicyMemoranda.htm> to view the federal guidance.